



U.S. Patent Application Serial No. 09/802,668  
Attorney Docket No. PC26566A

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By

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:** Roberds et al.

**Serial No.:** 09/802,668

**Group Art Unit:** 1646

**Filed:** March 9, 2001

**Examiner:** Olga N. Chernyshev

**Title:** ANTIBODIES TO HUMAN 5HT3E ION CHANNELS

**Commissioner for Patents**  
**P.O. Box 1450**  
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**SUBMISSION OF SUBSTITUTE PAGES**

**Dear Sir:**

Applicants, by their attorney, filed a Preliminary Amendment for the above noted patent application on October 14, 2004. Applicants' attorney, inadvertently and without deceptive intent, failed to include the marked edits showing the amendments to claims 95, 96 and 117. Marked versions of the amended claims 95, 96 and 117 are provided on the attached two pages. It is respectfully requested that these two pages be substituted for pages 17 and 21 of the Preliminary Amendment filed on October 14, 2004.

Date: October 15, 2004

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Respectfully submitted,

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95. **(currently amended)** An isolated 5HT3E antibody which specifically binds to an a 5HT3E epitope, polypeptide comprising SEQ ID NO: 105 wherein said epitope is present within SEQ ID NO: 105 or a fragment thereof.

96. **(currently amended)** An isolated 5HT3E antibody which specifically binds only to a unique 5HT3E epitope, wherein said epitope is present within SEQ ID NO: 105 or a fragment thereof. ~~The antibody of claim 95 wherein said antibody is a monoclonal antibody.~~

97. **(withdrawn)** A method of inducing an immune response in a mammal against a polypeptide of claim 89 comprising administering to said mammal an amount of said polypeptide sufficient to induce said immune response.

98. **(withdrawn)** A method for identifying a compound which binds an ion channel encoded by a sequence selected from the group consisting of SEQ ID NO:103 and SEQ ID NO:104 comprising the steps of:

- a) contacting said ion channel with a compound; and
- c) determining whether said compound binds said ion channel.

99. **(withdrawn)** The method of claim 98 wherein the ion channel comprises an amino acid sequence selected from the group consisting of SEQ ID NO:105 and SEQ ID NO:106.

100. **(withdrawn)** A compound identified by the method of claim 98.

101. **(withdrawn)** A method for identifying a compound which binds a nucleic acid molecule having a sequence selected from the group consisting of SEQ ID NO:103 and SEQ ID NO:104 comprising the steps of:

- a) contacting said nucleic acid molecule with a compound; and
- b) determining whether said compound binds said nucleic acid molecule.

102. **(withdrawn)** A compound identified by the method of claim 101.

115. **(withdrawn)** A method according to claim 114 wherein the composition comprises a cell transformed or transfected with a polynucleotide that encodes said ion channel.

116. **(withdrawn)** A chimeric receptor comprising at least 5 amino acid residues, said receptor comprising at least a portion of a sequence selected from the group consisting of SEQ ID NO:105 and SEQ ID NOS:106.

117. **(currently amended)** The 5HT3E antibody of claim 95, wherein said antibody is specific for the full length polypeptide of SEQ ID NO: 105.

118. **(new)** The 5HT3E antibody of claim 96, wherein said antibody is a monoclonal or polyclonal antibody.

119. **(new)** The 5HT3E antibody of claim 96, wherein said antibody is a human antibody.

120. **(new)** The 5HT3E antibody of claim 96, wherein said antibody is a humanized antibody.

121. **(new)** The 5HT3E antibody of claim 96, wherein said antibody is a chimeric antibody.

122. **(new)** The 5HT3E antibody of claim 96, wherein said antibody is a component of a test assay.

123. **(new)** The 5HT3E antibody of claim 96, wherein said antibody is in admixture with a suitable carrier.